

### REMARKS

Favorable reconsideration of the application is requested in view of the following remarks.

Claims 1-20 are pending, with Claims 1, 9 and 17-20 being independent.

Claims 1-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ainai* (U.S. patent no. 5,663,800 to Ainai), in view of *Nishiyama* (U.S. patent no. 6,067,168 to Nishiyama et al.).

As a preliminary matter, it appears that there has been some confusion about Applicants' position and the Examiner's position with regard to the disclosure, or lack thereof, of "no image memory" in *Nishiyama*. Page 2 of the Office action indicates that the anticipatory rejection was withdrawn because of Applicants' arguments regarding "apparatus incorporating no image memory" on page 14 of the response filed on March 21, 2006. Those comments by Applicants merely summarize the disclosure in *Nishiyama* on that issue and are not intended to mean anything other than what is recited in *Nishiyama*. The Applicants have not taken a position as to whether the claims distinguish over *Nishiyama* based on the disclosure, or lack thereof, of a memory in one or more of the units disclosed thereof.

Claim 1 recites an imaging forming apparatus incorporating no image memory. An input device receives image data as an input. A transfer means transfers the image data received by the input device to an image memory of a memory-incorporating apparatus via a network. A key generates a signal in response to operation by the user. A reception means receives the image data stored in the image memory ***in accordance with the signal generated*** by the key in

response to an operation **by the user**. A printing device forms an image with the use of the image data that is received by the reception means.

*Ainai* is relied upon to disclose all of Claim 1, except a key for "generating a signal and a reception means for receiving the image data stored in the image memory in accordance with the signal." For a disclosure of that, *Nishiyama* is relied upon.

However, as noted in the previous response, *Nishiyama* does not disclose the claimed key. Instead, *Nishiyama* discloses a series of printers, including copy machine 91. Image data is input into the memory of the copy machine 91. If the selected image processing command, e.g., a sharpness function (column 15, line 48), is not available, then the image data is sent to another copy machine, e.g., copy machine 92 or 93, which is capable of the sharpness function (column 16, lines 4-7). Thus, if the user selects the sharpness function with the setting keys on the copy machine 91, the image data is transmitted to one of the copy machines 92 or 93 from the copy machine 91. Once the image data is in the copy machine 92 or 93, it is processed using the sharpness function. Upon completion of the processing, **and when the copy machine 91 is empty**, the copy machine 91 automatically issues a return request and the copy machine 92 or 93 returns the processed image data to the copy machine 91 for printing. In the disclosed system, it is necessary to wait for the memory in the copy machine 91 to be empty because it otherwise would not have enough memory to store the processed image data if it is returned immediately (column 16, lines 53-56).

There is no disclosure in *Nishiyama* that the above-described return request is generated by operation of a key **by a user**, as recited in Claim 1. In fact, *Nishiyama*

instead discloses that the return request only happens, *i.e.*, results from, emptying of the memory in the copier 91. Thus, the image data is returned automatically, and not upon the reception by the copiers 92 or 93 of a signal generated by a key in response to operation by a user at the copier 91. Therefore, it cannot be said that *Nishiyama discloses or suggests* a key that generates a signal in response to operation by a user and that the image data is transferred from the image memory in the memory-incorporating apparatus to a reception means for receiving image data via the network in accordance with the signal that was generated in response to an operation by the user.

Also, *Ainai* does not disclose a key as recited in the claims, and is not relied on for a disclosure of such in the Office action.

For at least those reasons, the Examiner is respectfully requested to reconsider and withdraw the rejection of Claim 1 based on *Ainai* in view of *Nishiyama*.

Claims 9 and 17-20 are allowable for similar reasons as Claim 1.

The rejections of the dependent claims should be withdrawn at least by virtue of their dependence from allowable independent claims.

For the reasons stated above, it is believed that this application is in condition for allowance and such is requested.

In the event that there are any questions concerning this response, or the application in general, the Examiner is respectfully requested to contact the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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